

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Arnold de Guzman (Reg #39, 955) on July 28, 2008. An amendment was made to cancel previously withdrawn claims 20-23, and 43-46.

The application has been amended as follows:

Claim 20-23 (cancelled)

Claim 43-46 (cancelled)

Allowable Subject Matter

Claims 1-19, 23-42, and 47-48 are allowed.

The following is an examiner's statement of reasons for allowance:

As per claim 1, Rexford was relied upon to disclose OSPF, precomputing routing tables based on link "cost" information received from neighboring routers and routing packets to the routes based on load. A thorough review of prior art fails to disclose the specific conditions of "wherein a value is based on a breadth of use for a route and a frequency of use for the route, wherein the breadth of use indicates a number of

destinations of packets in a sampling period for the route, and wherein the frequency of use indicates a number of packets that were transmitted along the route in the sampling period” Independent claims 24 and 47-48 recite similar limitations. Claims 2-19, and 25-42 are allowed due to its dependency on claim 1. Examiner notes that claims 20-23, and 43-46 are cancelled by examiner’s amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private

Application/Control Number: 10/648,148

Page 4

Art Unit: 2141

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll free).

/C. R. P./

Examiner, Art Unit 2141

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145